

REMARKS

Remaining Claims

Claims 1-13 have been cancelled as being drawn to a non-elected inventions without prejudice to filing a divisional application containing the same. Claims 21-28 are withdrawn as being drawn to non-elected species. Claims 14, 15, 17, 19, and 20 have been amended to more clearly point out and distinctly claim the invention. After these amendments are entered, fifteen (15) claims (Claims 14-28), including withdrawn claims (claims 21-28), remain pending in this application through this Amendment.

Election/Restrictions

Applicants hereby confirm election of the invention of Group 1 and Species A, claims 14-20, for further prosecution without traverse.

Drawings

Applicants hereby submit a new drawing illustrating schematically a contact lens including molecular imprints for an analyte of interest. Applicants believe that no new matter has been introduced and that the objection of drawings has been overcome by this new drawing. Applicants respectfully request withdrawal of this objection.

Specification Amendments

Specification has been amended to include descriptions of Figure 1 newly introduced through this Amendment. Applicants believe that no new matter has been introduced.

Double Patenting

The non-statutory double patenting rejection of claims 14, 15, and 17-20 has been overcome by the Terminal Disclaimer submitted herewith. Applicants respectfully request withdrawal of this rejection.

Rejections under 35 U.S.C. §102

Claims 14-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Everhart et al. (US 6,060,256). For the following reasons, the Examiner's rejection is respectfully traversed.

Applicants respectfully submit that the cited reference does not disclose nor teaches anything about molecular imprints for an analyte of interest distributed within a contact lens. Everhart et al. disclose a biosensor which comprises a polymer film 15 coated with metal film 20 and a receptor layer 25 printed on top of the metal film 20 on the polymer film 15 (Figure 1). But, Everhart et al. does not disclose or suggest anything about molecular imprints. The text (col. 7, lines 21-34) cited by the examiner is related only to printing a receptor pattern on the surface of a metallized film. Printing is not molecular imprinting. As described by the Applicants in the specification (page 17, the first paragraph), molecular imprints in a polymer are prepared by first curing a polymerizable composition including an analyte of interest (i.e., template or 'imprint' molecules) to form a polymeric article and then extracting the analyte out of the formed polymeric article. In another word, molecular imprints are cavities which are created after removing the template molecule, are complementary in shape and functionality to the template molecule, and can bind molecule identical to the template. Applicants submit herewith a copy of a website content to further illustrate what molecular imprints are (see the attachment). Thus, the cited reference does not disclose all of the limitations of the invention as currently claimed. Applicants respectfully request withdrawal of this rejection.

CONCLUSION

In view of the foregoing and in conclusion, the Applicant submit that the rejections set-forth in the Office Action have been overcome, and that all pending claims are now in condition for allowance.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Robert Gorman, CIBA Vision, Patent Department, 11460 Johns Creek Parkway, Duluth, GA 30097. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 50-2965.

Respectfully submitted,



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